

APPL. NO. : 10/622,379
AMENDMENT DATED : APRIL 29, 2005
REPLY TO OFFICE ACTION OF : NOVEMBER 30, 2004

DOCKET NO. 109204.134 US3

Remarks

I. Summary of the Office Action

Claims 1-3, 5 and 6 are pending in the above-identified application. Claims 1-3, 5 and 6 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 5 and 6 of U.S. Patent No. 6,687,710. With this response, a terminal disclaimer is submitted as attached to this communication. No new matter is added by amendment. Reconsideration of the claims, in light of the remarks that follow, is requested.

II. Rejection of the Claims

Claims 1-3, 5 and 6 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 5 and 6 of U.S. Patent No. 6,687,710. In response, the applicants are filing a terminal disclaimer to obviate the provisional double-patenting rejection over U.S. Patent No. 6,687,710, which is attached to this communication. Applicants respectfully request that the rejection be withdrawn.

III. Miscellaneous

It is submitted that the claims, in view of the remarks provided herein, and accompanied by the terminal disclaimer, are in condition for allowance. A favorable Notice to this effect is respectfully requested.

A fee of \$130.00 is believed to be due in connection with the filing of this Disclaimer.

APPL. NO. : 10/622,379
AMENDMENT DATED : APRIL 29, 2005
REPLY TO OFFICE ACTION OF : NOVEMBER 30, 2004

DOCKET NO. 109204.134 US3

The Commissioner is authorized to debit any necessary fee or credit any overpayment relating to the above-identified application to Deposit Account No. 08-0219.

A petition for a two-month extension extension of time accompanies this Response and the Commissioner is authorized to charge any fees associated with this Petition to our Deposit Account no. 08-0219. If there are any charges, or any credits, please apply them to Deposit Account no. 08-0219.

Respectfully submitted,

Date: April 29, 2005



Ronald R. Demsher
Reg. No. 42,478

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
Telephone (617) 526-6105
Facsimile (617) 526-5000